

Nick Smith
7TH DISTRICT, MICHIGAN

COMMITTEE ON THE BUDGET

COMMITTEE ON SCIENCE, SPACE,
AND TECHNOLOGY

EX PARTE OR LATE FILE



U.S. House of Representatives
Washington, DC 20515-2207

1708 LONGWORTH BUILDING
WASHINGTON, DC 20515-2207
(202) 225-6276

209 E. WASHINGTON
SUITE 200-D
JACKSON, MI 49201
(517) 783-4486

PRB
92-235
1069

DOCKET FILE COPY ORIGINAL

February 26, 1993

RECEIVED

APR 12 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

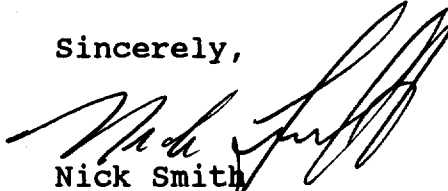
Mr. Lou Sizemore
Congressional Liaison Specialist
Federal Communications Commission
1919 M Street, N.W., Room 808
Washington, D.C. 20554

Dear Mr. Sizemore:

Enclosed please find several letters from my constituents opposing changes to frequencies on mobile cellular units, PR Docket 92-235.

I have notified my constituents that I have forwarded their letters to you, and sent them FCC information as well as a copy of Ralph Haller's letter to me. Please take into consideration the concerns of my constituents when deliberating this issue and contact them accordingly.

Sincerely,


Nick Smith
Member of Congress

No. of Copies rec'd
List A B C D E

041

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

February 18, 1993

IN REPLY REFER TO:
7330-7/1700A3

Honorable Nick Smith
House of Representatives
Washington, D.C. 20515

Dear Congressman Smith:

This is in reply to your letter of February 2, 1993, in which you inquired on behalf of several your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

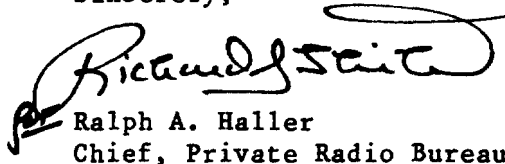
Honorable Nick Smith

2.

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,


Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:

Notice

Order

Discussion paper

C.M

2-10-93

J6
326

Charles Hemminger II
10100 Grover Rd
Harover Mich 49241

Hon Nick Smith
United States House of Rep.
1708 Cannon House Office Bldg
Washington, DC 20515

Dear Representative Smith:

Regarding the recent proposal to use 72 MHz and 75MHz frequencies on mobile cellular units.

Please be aware I am one of many people using these frequencies for my radio control equipment.

A great amount of expense, thought, and time has gone into our equipment.

It would be a terrible loss if I and my radio control friends were not able to operate our equipment without fear of disaster. Signal interference could cause serious injury to individuals by an out-of-control radio operated airplane, boat or car.

Before this issue is closed, please consider our position carefully.

Sincerely,

Chab Hemminger II

FEB 22 1993

L7
327

Hon Nick Smith
United States House of Rep.
1708 Cannon House Office Blding
Washington, DC 20515

Dear Representative Smith:

Regarding the recent proposal (PR Docket 92-235) to use 72 MHz and 75MHz frequencies on mobile cellular units.

Please be aware I am one of many people using these frequencies for my radio control equipment.

A great amount of expense, thought, and time has gone into our equipment.

It would be a terrible loss if I and my radio control friends were not able to operate our equipment without fear of disaster. Signal interference could cause serious injury to individuals by an out-of-control radio operated airplane, boat or car.

Before this issue is closed, please consider our position carefully.

Sincerely,

Carl Collins

FEB 22 1993

J6
328

Feb. 15, 1993

Dear Mr. Nick Smith,

I am writing you regarding the FCC proposed rule PR Docket 92-235 which will add commercial mobile frequencies sandwiched between existing radio controlled model air craft frequencies in both the 72 and 75 MHz bands. The new frequency tolerance allowed the mobile equipment could put their frequencies right on top of ours. Because they are mobile and have four times the power we use, this could cause, without warning, a complete loss of control of a plane. model planes can weigh up to 20 LBS. and fly at 100 M.P.H. A crash can cause serious injury or death as well as property damage. This hobby has a long outstanding safety record and has given me years of enjoyment. Now that I am retired, I look forward to filling my spare time with it. I have thousands of dollars and many hours invested in the equipment but I can not, in good conscience, continue to fly with this new rule in effect. I strongly urge you to do what you can to preserve the frequency assignments as they now stand, thus preserving a wonderful pastime for kids and adults alike.

Thank You.

Robert Graves
12105 Watkins Rd.
Brooklyn MI 49230

FEB 22 1993

BZ/329

The Honorable Nick Smith
1708 Longworth
Washington, D.C. 20515

2-3-93

Dear Mr. Smith

I quit smoking with the help of a hobby and that hobby is building and flying Remote Control Airplanes and Cars. I am just an average person who needs outlets that I can depend on. Remote control is a very good hobby, its low cost and reliable and can be taylored to each persons needs or desires.

I am very concerned about the proposed rules that are currently under conconsideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-78 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band with our either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwiths and rearranging the band plan. As a rusult, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operation. I am told that of the 50 frequencies that are persently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety percautions involve the careful coordination and use of the radio control Frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate and thousands watch. We need the use of our full complement of radio frequencies in order to assure a

FEB 11 1993

safe flying environment for us and the people who come and watch.

I do not think it is wise of the FCC to seek to improve the operating conditions of and mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as

February 2, 1993

Representative Nick Smith
1708 Longworth Building
Washington, D. C. 20515

Dear Mr. Smith:

I am very active in radio control modeling, and I'm concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-225. If adopted, the new rules will greatly reduce the

February 2, 1993

Representative Nick Smith
1708 Longworth Building
Washington, D. C. 20515

Dear Mr. Smith:

I am very active in radio control modeling, and I'm concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators, bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans of up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

Mr. Smith, I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself, including women and children, and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band.

Sincerely,

Richard J. Lake

FEB 22 1993

February 2, 1993

Representative Nick Smith
1708 Longworth Building
Washington, D. C. 20515

Dear Mr. Smith:

I am very active in radio control modeling, and I'm concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by

February 2, 1993

Representative Nick Smith
1708 Longworth Building

Dear

2-18-93

Mr. Mick Smith

I'm active in Jackson R/C club for 4 years
and enjoy Building & flying model R/C planes.
I personally own 4 Radio R/C models
and have

FEB

February 13, 1993

1261 Oregon Rd.
Adrian, MI 49221

L7 / 336

Honorable Nick Smith
United States House of Representatives
1708 Cannon House Office Building
Washington, D.C. 20515

Re: FCC Rules / PR Docket 92-235

Dear Representative Smith:

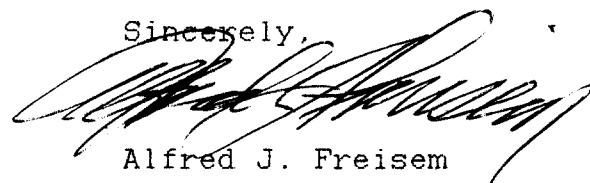
Since retiring I have become involved in a hobby that has resulted in many hours of enjoyment and satisfaction. Specifically it is the building and flying of radio controlled model airplanes.

The concern that I have is that the above subject proposed FCC Rules could substantially interfere with the use of my radio-controlled equipment. This interference could very well cause accidents which we now take every precaution to avoid.

We respectfully request that you assist us in continuing to enjoy our hobby by not allowing the FCC to carry out the proposal for the 72 to 76 MHz band.

Thank you for your consideration in this matter.

Sincerely,



Alfred J. Freisem

January 25, 1993

The Honorable Nick Smith
1708 Longworth Bld.
Washington D.C. 20515

56/33

Dear Mr. Smith

I am twenty-one years old. I am currently in my fourth season of my favorite hobby, flying Radio-Control (R/C) aircraft. I fly in the winter time as well as the summer time. I enjoy many hours of building and flying Model aircraft. I am active in more than one club. I own three radios and many planes. In the future I plan to buy more radios and accessories to help further my enjoyment of the hobby.

The proposed rule, **PR Docket 92-235** that is currently under consideration by the Federal Communication Commission upsets me. This new rule, if adopted, will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. The use of this band is for private land mobile dispatch operations (pager cellular phones). However, our R/C frequencies in this band are far enough apart, spaced at 10 Khz, for the land mobile frequencies that we have been able to share the band without either use interfering with the other. We are using only a half of a watt for power. This means that our planes have about a half of a mile range. The mobile users would be using 5 watts of power. Our radios could never operate in an environment such as proposed.

The Notice of Proposed Rule Making (NPRM) in **PR Docket 92-235** replaces Part 90 of the rules with a new part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping a 10 Khz spacing between fixed commercial user and frequencies used by R/C enthusiasts. The new Part 88 allows mobile users on frequencies within 2.5 Khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on 72 MHz band (for R/C aircraft) and 10 of 30 frequencies for cars and boats in the 75 MHz band. In fact this could only be the beginning of the down fall of the R/C hobby.

Every time I go to our flying field I take safety precautions so as not to hurt other flyers, people watching and mainly other peoples property. We have set up a system of coordinating our channels to make sure that these precautions will not interrupt the safety of others. Now that the FCC wants to decrease our channels by over half, this makes the safety margin goes down quite considerably.

I do not like the action that the FCC is taking against Radio-Control enthusiasts. Mobile users already have a niche in this band and now they want to take our niche too. We spend hours of enjoyment at this hobby only to have it shattered by big business. If this rule passes what kind of future will I have in this hobby. First, there is the investment of money. Two of the Three radios I own would become obsolete. I do not have much money to reinvest into new

FEB 25 1993

technology. Second, R/C enthusiasts have been flying since the late 1930's. I would like to share this with younger generations to come. It would be more expensive to get in to the hobby than ever before. Those people yet to come have a right to enjoy are past time just as we are now.

I am requesting your help in keeping the FCC from passing **PR Docket 92-235 for the 72-76 MHz band**. All R/C enthusiasts immediately because the FCC has a deadline February 26, 1993, to receive any comments on the proposal. After which it would be more difficult to keep the proposal from going into effect.

Sincerely,



John E. Nall

W. S. (BILL) Wagner, Jr.
Management Consultant
Specializing in the Automotive Aftermarket

78 Douglas Avenue
Coldwater, Michigan 49036
Phone: 517-279-7975 FAX: 517-278-2799

February 14, 1993

The Honorable Nick Smith
U.S. House of Reps.
Washington, DC 20515

338
B2

REF: DD Docket 02-035

proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft.

We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

The Honorable Nick Smith
U.S. House of Reps.
Washington, D.C. 20515

February 19, 1993

339
JU

Dear Mr. Nick Smith:

I have been interested in aviation all my life and have been active in constructing and operating radio controlled model airplanes for six years. I have a considerable investment in my sport. In 1991, I had four radios upgraded as required by the Federal Communications Commission concerning new rules governing operating radio control frequencies for narrow band operation. These modifications were the result of the FCC requiring the radios to be converted from wide band to narrow band.

I am very concerned about proposed rules that are currently under consideration by the FCC. The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either of us interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 to 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if the radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have considerable investment in our models and in our radio equipment. The hobby

Feb 25 1993

brings many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

A handwritten signature in cursive script, reading "Dennis Hines". The signature is fluid and elegant, with a large initial "D" and a long, sweeping underline.

Dennis Hines